



Los Angeles County AUDIT COMMITTEE

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

August 02, 2011

8 August 2, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

SUNSET REVIEW FOR THE LOS ANGELES COUNTY SMALL CRAFT HARBOR COMMISSION (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

Request to extend the sunset review date for the Los Angeles County Small Craft Harbor Commission.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve introduction of ordinance extending the Los Angeles County Small Craft Harbor Commission's sunset review date to December 31, 2015.
2. Instruct the Department of Beaches and Harbors (DBH) to work with County Counsel to revise the County Code Section 2.116.100 related to the Commission's Powers and Duties, to specifically include the responsibility for making recommendations regarding the leases and concessions in the small craft harbor in Marina Del Rey (MDR).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Small Craft Harbor Commission (Commission) was created by the Board pursuant to Chapter 2.116.030 of the Los Angeles County Code. The Board approved the most recent sunset review extension on May 17, 2005, which expired on December 31, 2009.

The Commission advises and makes recommendations to the Board and the Department of Beaches and Harbors on:

- Policies and procedures of the Board and DBH for planning, financing and developing the small craft harbor in MDR.
- Policies and procedures of the Board and DBH for the management and operation of small craft harbor properties, including renegotiating small craft harbor rentals, and leasing and public use of small craft harbor properties.
- Adequacy rules and regulations governing the small craft harbor in MDR, including the operation and navigation of boats, and public use of facilities.
- Prices charged by small craft harbor lessees and concessionaires for goods and services.

The Commission also advises the Board and DBH and makes recommendations on leases and concessions in the small craft harbor in MDR. However, this responsibility is not expressly stated in the County Code. According to County Counsel, the County Code provisions governing the County Real Estate Management Commission defer this responsibility to that Commission. However, there is nothing in the County Code Section for the Small Craft Harbor Commission that expressly gives this Commission this responsibility. For that reason, it is recommended that DBH work with County Counsel to revise the County Code to specifically address this area.

During this review period, the Commission's accomplishments included the following:

- Made recommendations to DBH regarding 17 lease agreements and amendments suggested by DBH. The lease agreements and amendments enabled the County to develop, expand and improve new and existing assets in MDR for public and resident use.
- Informed the Board of the Commission's and boaters' concerns regarding boat slip rent increases and maintenance of some boater-related facilities on leased property in MDR.
- Recommendations were made to the Board and DBH regarding proposed fee increases and new fees at MDR and County-operated beaches.

FISCAL IMPACT/FINANCING

The Department of Beaches and Harbor estimates that they spend approximately \$66,000 a year to support the Commission. This support cost includes stipends, travel reimbursements and the cost of staff and technical support provided by DBH, County Counsel, Sheriff and the Internal Services Department for the Commission meetings and related follow-up work.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Commission has five members, one appointed by each Supervisor. Commission members are paid a \$25 stipend (two waived their stipend) for each meeting attended, up to a maximum of 52 meetings per year and are reimbursed for Commission-related travel expenses. Commissioners must reside in Los Angeles County and have training experience in one or more the following areas:

- Corporate or governmental financing and investment
- Commercial or governmental construction
- Real property management

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- Recreational harbor or port planning, management or operation
- Public or private corporate executive management

The Commission is required to meet on a monthly basis. From January 2007 to December 2009, the Commission met 28 times (approximately nine times per year) with an average attendance of 3.6 (72%) members.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

For the next evaluation period, the Commission will continue to make recommendations to the Board and DBH regarding new developments, improving leased property maintenance and increasing public access to MDR, while ensuring public safety and the availability of recreational boating opportunities.

Respectfully submitted,

A handwritten signature in black ink that reads "Lori Glasgow". The signature is written in a cursive, flowing style.

LORI GLASGOW

Chair

LG:tpk

Enclosures

c: Executive Officer of the Board
Auditor-Controller
County Counsel
Director of Beaches and Harbors
Chair, Small Craft Harbor Commission
Janet Logan, Chief, Board Operations
Angie Johnson, Chief, Commission Services



**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-3873
PHONE: (213) 974-8301 FAX: (213) 626-5427

WENDY L. WATANABE
AUDITOR-CONTROLLER

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS
JOHN NAIMO
JUDI E. THOMAS

May 11, 2011

TO: Audit Committee

FROM: Wendy L. Watanabe
Auditor-Controller

SUBJECT: **SUNSET REVIEW FOR THE LOS ANGELES COUNTY SMALL CRAFT
HARBOR COMMISSION**

RECOMMENDATIONS

The Audit Committee recommend to the Board of Supervisors (Board) to extend the Los Angeles County Small Craft Harbor Commission's (SCHC or Commission) sunset review date to December 31, 2015.

The Department of Beaches and Harbors (DBH or Department) work with County Counsel to revise the County Code Section related to the SCHC to specifically include the responsibility for making recommendations regarding leases and concessions in the small craft harbor in Marina del Rey (MDR).

BACKGROUND

The Board established and has continued the Commission pursuant to Los Angeles County Code Chapter 2.116.030. The Board approved the most recent extension in May 2005.

The Commission advises and makes recommendations to the Board and the DBH on:

- Policies and procedures of the Board and DBH for planning, financing and developing the small craft harbor in MDR.
- Policies and procedures of the Board and DBH for the management and operation of small craft harbor properties, including renegotiating small craft harbor rentals, and leasing and public use of small craft harbor properties.

- Adequacy of rules and regulations governing the small craft harbor in MDR, including the operation and navigation of boats, and public use of facilities.
- Prices charged by small craft harbor lessees and concessionaires for goods and services.

The Commission also advises the Board and DBH and makes recommendations on leases and concessions in the small craft harbor in MDR. However, this responsibility is not expressly stated in the County Code. According to County Counsel, the County Code provisions governing the County Real Estate Management Commission defer this responsibility to the SCHC. However, there is nothing in the County Code Section for the SCHC that expressly gives SCHC this responsibility. For that reason, we have recommended that DBH work with County Counsel to revise the County Code to specifically address this area.

The Commission has five members, one appointed by each Supervisor. The Commissioners are Los Angeles County residents with training and experience in one or more of the following areas:

- Corporate or governmental financing and investment
- Commercial or governmental construction
- Real property management
- Recreational harbor or port planning, management or operation
- Public or private corporate executive management

Commissioners are paid a \$25 stipend for each meeting they attend, up to a maximum of 52 meetings per year, and are reimbursed for Commission-related travel expenses. Two Commissioners have waived their stipends. DBH estimates that they spend approximately \$66,000 a year to support the Commission. This support cost includes stipends, travel reimbursements and the cost of staff and technical support provided by DBH, County Counsel, Sheriff's and the Internal Services Department for SCHC meetings and related follow-up work.

JUSTIFICATION

The Commission's bylaws and fact sheet state that the Commission is required to meet on a monthly basis. Between January 2007 to December 2009, the Commission met 28 times (approximately nine times per year) with an average attendance of 3.6 (72%) members.

During this review period, the Commission's reported accomplishments include the following:

- Made recommendations to DBH regarding 17 lease agreements and amendments suggested by DBH. The lease agreements and amendments enabled the County to develop, expand and improve new and existing assets in MDR for public and resident use.
- Informed the Board of the Commission's and boaters' concerns regarding boat slip rent increases and maintenance of some boater-related facilities on leased property in MDR.
- Made recommendations to the Board and DBH regarding proposed fee increases and new fees at MDR and County-operated beaches.

For the next evaluation period, the Commission will continue to make recommendations to the Board and DBH regarding new developments, improving leased property maintenance and increasing public access to MDR, while ensuring public safety and the availability of recreational boating opportunities.

Please call me if you have any questions, or your staff may contact Robert Campbell at (213) 253-0101.

WLW:JLS:RGC:TK

Attachments

- c: Santos H. Kreimann, Director, Department of Beaches and Harbors
Russ Lesser, Chair, Small Craft Harbor Commission
Robin A. Guerrero, Chief, Board Operations
Angie Montes, Acting Chief, Commission Services

COMMISSION SUNSET REVIEW
LOS ANGELES COUNTY SMALL CRAFT HARBOR COMMISSION
REVIEW COMMENTS

Mission. (Does the mission statement agree with the Board of Supervisors' purpose and expectations?)

The stated mission is as set forth in the ordinance establishing the Commission.
CONCUR

Section 1. Relevance. (Is the mission still relevant and in agreement with the Board of Supervisors' purpose and expectations?)

The Commission advises the Board and DBH on matters related to the development, financing, leasing, rentals, maintenance and operation of the small craft harbor in Marina Del Rey (MDR).

The Commission's mission appears to be **RELEVANT**.

Section 2. Meetings and Attendance. (Are required meetings held and is attendance satisfactory?)

The Commission's bylaws and fact sheet state that the Commission is required to meet on a monthly basis. Between January 2007 to December 2009, the Commission met 28 times (approximately nine times per year) with an average attendance of 3.6 (72%) members.

The Commission's meeting frequency and attendance are **SATISFACTORY**.

Sections 3 and 4. Accomplishments and Results. (Are listed accomplishments and results significant?)

During this review period, the Commission's reported accomplishments include the following:

- Made recommendations to DBH regarding 17 lease agreements and amendments suggested by DBH. The lease agreements and amendments enabled the County to develop, expand or improve new or existing assets in MDR for public and resident use.
- Informed the Board of the Commission's and boaters' concerns regarding boat slip rent increases and maintenance of some boater-related facilities on leased property in MDR.

- Made recommendations to the Board and DBH regarding proposed fee increases and new fees at MDR and County-operated beaches.

The Commission's accomplishments and results are **SIGNIFICANT**.

Section 5. Objectives. (Are the objectives compatible with the mission and goals and relevant within the current County environment?)

For the next evaluation period, the Commission will continue to make recommendations to the Board and DBH to help ensure new developments, improve leased property maintenance and increase public access to MDR, while ensuring public safety and the availability of recreational boating opportunities.

The Commission's future objectives appear **RELEVANT**.

Section 6. Resources. (Are the resources utilized by the entity in support of the entity's activities warranted in terms of the accomplishments and results?)

Commissioners are paid a \$25 stipend for each meeting they attend, up to a maximum of 52 meetings per year, and are reimbursed for Commission-related travel expenses. Two Commissioners have waived their stipends. DBH estimates that they spend approximately \$66,000 a year to support the Commission. This support cost includes stipends, travel reimbursements and the cost of staff and technical support provided by DBH, County Counsel, Sheriff's and the Internal Services Department for SCHC meetings and related follow-up work.

The Commission's expenses appear to be **WARRANTED**.

Section 7. Recommendation.

**EXTEND THE SUNSET REVIEW DATE FOR THE LOS ANGELES COUNTY
SMALL CRAFT HARBOR COMMISSION TO DECEMBER 31, 2015.**

**Los Angeles County Small Craft Harbor Commission
Attendance Record**

Commissioner	Nominated by:	3/31/07	6/30/07	9/30/07	12/31/07	3/31/08	6/30/08	9/30/08	12/31/08	3/31/09	6/30/09	9/30/09	12/31/09	Totals	% Attended
Number of Meetings per Quarter		2	2	2	3	3	2	2	3	2	3	2	2	28	
Vanessa Delgado	1st District	2	2	1	2	3	1	2	2	2	1	1	1	20	71%
Albert DeBlanc, Jr., Esq. (1)	2nd District					1	0	2	2	0	0	0	0	5	29%
Harley A. Searcy (1)	2nd District	2	2	2	3	1								10	100%
Albert James Landini, Ed.D.	3rd District	1	2	2	3	2	1	2	3	1	2	2	2	23	82%
Russ Lesser	4th District	2	2	2	3	3	2	2	3	2	3	2	2	28	100%
Christopher Chuang-I Lin, Ph.D.	5th District	2	0	2	2	1	1							8	57%
Dennis Victor Alfieri	5th District									2	3	1	2	8	89%
Vacant	5th District							0	0					0	0%
Totals		9	8	9	13	11	5	8	10	7	9	6	7	102	
Average Attendance per Meeting —————>														3.6	

Legend:

 Vacancy was filled or Commissioner did not serve during this period.

(1) Commissioner served for one month for the quarter ended March 2008. Percentage attended based on number of meetings Commissioner was active on Commission.